

Arne Leonard

From: Arne Leonard
Sent: Wednesday, July 25, 2012 5:59 PM
To: 'Levy, Kathryn C.'
Cc: Paul Kennedy
Subject: Bell v. Economidy et al., No. 11cv907 JCH/ACT

Dear Kathy:

I am in the process of reviewing the discovery materials you produced at the end of last week, and it appears there are still a few outstanding items which are likely to become the subject of a motion to compel:

1. I still have no answer or response from Defendant Economidy himself about his Facebook page or social-media postings (Interrogatory No. 4 and RFP No. 4 in Plaintiff's first set of discovery requests). I offered to limit these requests by date and subject matter in my letter to you of May 29, 2012, but I believe the discovery rules allow me to access more than just the indirect references to the social-media sites and postings in the Internal Affairs files you gave me at the end of last week.
2. You asserted an untimely boilerplate objection to Interrogatory No. 12 (the intelligence briefings) in Plaintiff's second set of discovery requests.
3. You asserted an untimely boilerplate objection to Request for Production No. 15 (discovery from the *Wharton* case) in Plaintiff's second set of discovery requests.

Do you wish to stand by your previously stated objections on the items listed above, or is it your intent to promptly produce more information on these subjects?

I appreciate that you have responded in part to my previous attempts to informally resolve outstanding discovery issues, thereby reducing the number of issues that need to be raised in a motion to compel. Nevertheless, it seems that we are running out of time for further good-faith efforts at resolving our differences, so I will need to proceed with my motion this Friday, July 27, if we are unable to resolve the remaining items before then.

Sincerely,

Arne R. Leonard
Kennedy & Han, P.C.
201 12th Street N.W.
Albuquerque, NM 87102
(505) 842-8662

This communication and any attachments are attorney-client privileged, confidential and intended for use only by the recipient named above. Any unauthorized use is strictly prohibited. If you have received this in error, please notify the sender.